

## Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 218937  
ORIGIN IO-04

INFO OCT-01 ISO-00 NEA-04 /009 R

66011

DRAFTED BY:IO/UNESCO:RFORSTER

APPROVED BY:IO/SA:TBROWN

NEA/IAI:JCOVERY

-----001493 291107Z /16

R 290209Z AUG 78

FM SECSTATE WASHDC

INFO AMEMBASSY PARIS 6965

LIMITED OFFICIAL USE STATE 218937

NESCO

FOLLOWING REPEAT TEL AVIV 10986 ACTION SECSTATE INFO AMMAN,  
CAIRO, GENEVA, JERUSALEM, AND USUN NEW YORK DATED AUG 25, 1978.

QUOTE: LIMITED OFFICIAL USE TEL AVIV 10986

E.O. 11652: N/A

TAGS: SHUM, IS

SUBJECT: ISRAELI NON-PAPER ON HUMAN RIGHTS IN THE OCCUPIED  
TERRITORIES

1. AT RECENT MEETING BETWEEN AMBASSADOR AND MINISTER OF  
DEFENSE WEIZMAN ON ANOTHER SUBJECT, WEIZMAN AIDE COL.  
TEHILA PASSED TO POLCOUNSELOR NON-PAPER ON ISRAELI HUMAN  
RIGHTS PRACTICES IN THE TERRITORIES. THE ISRAELI DOCU-  
MENT WAS PROVIDED IN THE CONTEXT OF OUR CONTINUING EX-  
CHANGES ON THIS ISSUE.

2. THE ISRAELI PAPER, ENTITLED "THE QUESTION OF HUMAN  
RIGHTS IN THE AREAS ADMINISTERED BY ISRAEL," IS A GENERAL  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 218937

SURVEY OF THE SUBJECT. IT DOES NOT DEAL WITH DETAILED  
CASES. THE DOCUMENT NOTES THAT THE QUESTION OF HUMAN  
RIGHTS IN THE OCCUPIED TERRITORIES NECESSARILY TAKES ON  
A DIFFERENT FORM FROM WHAT WOULD NORMALLY BE FOUND DURING  
A STATE OF PEACE. NEVERTHELESS, THE INSTITUTIONAL FRAME-  
WORK SET UP BY THE GOI TO ENSURE THE PROTECTION OF BASIC  
HUMAN RIGHTS IS SAID TO HAVE BEEN EXTENDED FAR BEYOND THE

MINIMUM DEMANDS OF THE LAWS OF ARMED CONFLICT.

3. THE PAPER NOTES THAT ISRAEL DOES NOT RECOGNIZE THE APPLICABILITY OF THE FOURTH GENEVA CONVENTION IN THE OCCUPIED AREAS FOR REASONS BASED ON POLITICAL AND LEGAL CONSIDERATIONS CONNECTED WITH THE QUESTION OF SOVEREIGNTY OVER THE WEST BANK. HOWEVER, ISRAEL APPLIES THE CONVENTION'S HUMANITARIAN PROVISIONS DE FACTO. IN ADDITION, BASIC RIGHTS TO LIFE, LIBERTY AND SECURITY OF PERSON ARE SAID TO BE GUARANTEED BY THE RULE OF LAW. EXISTING INSTITUTIONS, LEGAL SYSTEMS, MODES OF LAW AND JUDICIAL MACHINERY HAVE BEEN RETAINED, WHILE IN CONFORMITY WITH THE LAWS OF ARMED CONFLICT MILITARY COURTS, BASED UPON MILITARY LAW, HAVE BEEN SET UP FOR SECURITY OFFENSES.

4. THE PAPER PRESENTS A BROAD DEFENSE OF ISRAELI'S POWER OF ADMINISTRATIVE DETENTION AND REFUTES CHARGES OF ILL TREATMENT OF DETAINEES. THE ROLE OF THE ICRC IN THE TERRITORIES IS ALSO OUTLINED. THE PAPER NOTES THAT ICRC DELEGATES MAY VISIT DETAINEES WITHOUT WITNESSES WITHIN THE FIRST 14 DAYS OF THEIR DETENTION WHILE STILL UNDER INTERROGATION AND AT SIMILAR REGULAR PERIODS AS LONG AS INTERROGATION LASTS IN ORDER TO ASCERTAIN IDENTITY, CONDITION OF HEALTH AND CONDITIONS OF DETENTION. IN THE EVENT THAT THE ICRC DELEGATE FEELS THE NECESSITY AFTER SUCH A VISIT, A MEDICAL EXAMINATION MAY BE UNDER- LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 218937

TAKEN BY A SWISS PHYSICIAN BELONGING TO THE ICRC STAFF OR ANY OTHER PHYSICIAN APPROVED BY BOTH THE ICRC AND THE ISRAELI AUTHORITIES, WITHOUT THE PRESENCE OF WITNESSES.

5. PAPER BEING TRANSMITTED TO ADDRESSEES BY AIRGRAM.  
LEWIS UNQUOTE CHRISTOPHER

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** PAPERS, HUMAN RIGHTS, MILITARY OCCUPIED AREAS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 29 aug 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978STATE218937  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** IO/UNESCO:RFORSTER  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780352-0541  
**Format:** TEL  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780812/aaaaakcv.tel  
**Line Count:** 100  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 62cef759-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN IO  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 05 may 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** N/A  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 1587151  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ISRAELI NON-PAPER ON HUMAN RIGHTS IN THE OCCUPIED TERRITORIES  
**TAGS:** SHUM, IS  
**To:** PARIS  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/62cef759-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014